IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

MONDAY, THE SIXTEENTH DAY OF AUGUST
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MS JUSTICE G.ROHINI

-

WRIT PETITION NO : 13953 of 2004

Between:

Yandrapragada Subash Chandra Bose, S/o.Late Subbanna, R/o.Kommugudem Village, Buttaigudem Mandal, W.G.Dist.

..... PETITIONER

AND

1 The Sub-Divisional police officer, Jangareddigudem, W.G.Dist.
2 The Sub-Divisional Magistrate/Revenue Divisional officer, Jangareddygudem, W.G.Dist.
3 The S.H.O./Sub-Inspector of police, buttaigudem P.S., Buttaigudem, W.G.Dist.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue order direction writ more particularly writ of Mandamus declare the action of the respondents in not taking action on the petitioner's complaint dt.2-8-2004 as being illegal arbitrary and violative of Article 14 and 300-A of the Constitution of India and consequentially direct the respondents to provide necessary police protection to the petitioner's land situated in R.S. Nos. 527/3 Ac.1.78 cts, R.s.No.507/1, Ac.0.67 cts, R.s.No.668 Ac.3.21 cts, R.S.No. 670/1 Ac.2.03 cts, R.S.No.658/1 Ac.4.40 Total an extent of 12.09 cts of Buttaigudem Village and Mandal, W.G.District and to pass.

Counsel for the Petitioner: MR.P.R.K.AMERANDRA KUMAR

Counsel for the Respondents: GP FOR HOME

The Court at the admission stage made the following:

ORDER:

The petitioner claims to be the owner and possessor of the agricultural land situated in R.S.Nos.527/3, 507/1, 668, 670/1 and 658/1 of Buttaigudem village and Mandal, which is notified as a schedule area. It is alleged that the tribals of the village have been interfering with his possession and enjoyment of the land in question and therefore, he lodged a complaint with the Station House Officer/Sub-Inspector of Police, Buttaigudem Police Station-third respondent requesting to take necessary action. The grievance of the petitioner is that inspite of the fact that he made an application before the third respondent on 02.08.2004, no action has been taken so far. Hence this writ petition seeking a declaration that inaction on the part of the respondents is arbitrary and illegal.

I have heard the learned counsel for the petitioner and the learned Government Pleader for Home.

The learned Government Pleader for Home under instructions states that on receipt of the complaint from the petitioner on 02.08.2004, the third respondent has called for a status report from the Mandal Revenue Officer, Buttaigudem, as to the title and possession of the land in question and the same is awaited.

Having regard to the facts and circumstances of the case, I deem it appropriate to dispose of the writ petition with a direction to the third respondent to consider the complaint of the petitioner dated 02.08.2004 soon after the receipt of the report of Mandal Revenue Officer and to take the necessary action in accordance with law as expeditiously as possible, preferably within a period of two weeks from the date of receipt of the status report from the Mandal Revenue

Officer, Buttaigudem Mandal, West Godavari District.

16.08.2004

Note: Furnish CC in two days

(b/o)

VGB

To

1 The Sub-Divisional police officer, Jangareddigudem, W.G.Dist.
2 The Sub-Divisional Magistrate/Revenue Divisional officer, Jangareddygudem, W.G.Dist.
3 The S.H.O./Sub-Inspector of police, buttaigudem P.S., Buttaigudem, W.G.Dist.

4 2CCs to the Government Pleader for Home, High Court Buildings, Hyderabad (OUT)

5 2CD copies